

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Frank Staples, *et al.*,

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Plaintiffs,

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v.

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Civil No.: No. 1:24-cv-331-LM-TSM

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Governor Chris Sununu, *et al.*,

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Defendants.

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STATE DEFENDANTS' MOTION TO DISMISS

Defendants Governor Chris Sununu and Attorney General John Formella (the “State Defendants”), by and through their attorneys, the Office of the Attorney General, submit the within Motion to Dismiss.¹

1. The State Defendants have filed a Memorandum of Law in support of their Motion to Dismiss of near or even date herewith.
2. The arguments presented in said Memorandum of Law are hereby incorporated as if fully restated herein.
3. For the reasons stated in the accompanying Memorandum of Law, Plaintiffs’ claims warrant dismissal.

¹ To the extent the New Hampshire Attorney General’s Office appears for Officer O’Leary in this matter, it will be through a different Bureau. Undersigned counsel does not represent Officer O’Leary in this matter.

WHEREFORE, the State Defendants respectfully request that this Honorable Court:

- A. Dismiss Plaintiffs' Complaint against the State Defendants; and
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

Governor Chris Sununu,
Attorney General John Formella, and
Attorney Charles O'Leary.

By their attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Dated: February 18, 2025

/s/ Shawna Bentley
Shawna Bentley, Bar #270149
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent this day by first class mail to each of the plaintiffs at the address listed in the CM/ECF docket.

/s/ Shawna Bentley
Shawna Bentley